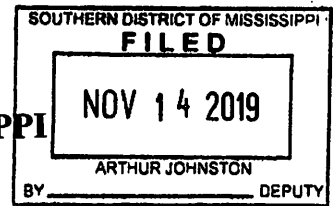


**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**



STEVEN A. MCMULLEN, #T5247

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:19-CV-172-CWR-FKB

CENTURION OF MISSISSIPPI, ET AL

DEFENDANTS

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff STEVEN MCMULEEN, a Pro Se Litigant, files this Motion for Partial Summary Judgment and respectfully moves that the court enter a summary judgment in favor of the Plaintiff, and in support provide the following:

**STATEMENT OF UNDISPUTED MATERIAL FACTS IN SUPPORT OF PLAINTIFF'S
MOTION FOR PARTIAL SUMMARY JUDGEMENT**

Background of the Plaintiff – Steven McMullen

1. Steven McMullen is a 56 year old male and is an American Citizen.
2. Steven McMullen is an inmate in the custody of the Mississippi Department of Corrections.
3. Steven McMullen has been an inmate incarcerated at the East Mississippi Correctional Facility "EMCF" since August 2018.
4. Steven McMullen has a prior history of kidney stones that is well documented.

5. Steven McMullen has suffered significant loss of kidney function in both kidneys while under the care of Centurion of Mississippi, LLC, Dr. Patrick Arnold and Anthony Gipson.
6. Steven McMullen is an incarcerated individual and the U.S. Supreme Court has said on numerous occasions that the Eighth Amendment and the Fourteenth Amendment of the United States Constitution require prison officials to provide humane conditions of confinement while in the custody of the Mississippi Department of Corrections, among the obligations recognized by the U.S. Supreme Court are a responsibility to provide adequate food, clothing, shelter, sanitation, medical care, and more in the prison or jail setting.

Background of the Defendant – Centurion of Mississippi, LLC

1. Centurion of Mississippi, LLC entered into an “Agreement between the State of Mississippi Department of Corrections and Centurion of Mississippi, LLC for Onsite Inmate Health Services” (**Exhibit 1**) on July 1, 2016. The 42 page agreement details the contractual obligations of Centurion of Mississippi, LCC to the Mississippi Department of Corrections and the inmates in their custody.
2. Centurion of Mississippi, LLC is the sole medical provider that the Plaintiff Steven McMullen has had any access to since his arrival at EMCF in August of 2018.
3. Centurion of Mississippi, LLC under the Local Uniform Civil Rule “L.U.Civ.R.” Rule 7.(c) – Corporate Disclosure Statement, has failed to file the statement “as a separate pleading with the party’s initial pleading.”

4. Centurion of Mississippi, LLC has failed to supply the “Discovery Requests for the Plaintiff” that was mailed to them in September of 2019. **(Exhibit 2)**, the Discovery Requests were mailed VIA certified / signature required mail to the Defendants attorneys of record.

Centurion of Mississippi, LLC is a subsidiary of Centene Corporations - Over the past 35 years, Centene has grown to become a \$60 billion member of the Fortune 500 trading on the New York Stock Exchange. Centene currently ranks #51 on the Fortune 500 & #244 on the Fortune Global 500 List”.

Centene maintains a web-site, www.mhm-services.com, where they state:


- “From mental health and long-term care to medical, dental and forensic services, our employees are dedicated to providing the highest quality of care for every population they serve. Today, we serve over 330,000 individuals in hundreds of facilities across the nation. MHM provides cost savings for our clients through better practices and efficiencies, including improved recruiting, pharmacy management, and clinical operations - never by compromising care. MHM is led by a team of experienced managers and clinical directors who customize our programs and services to meet the unique needs of our clients.”
- “MHM employs approximately 6,000 clinical, managerial, and administrative professionals nationwide. Our leadership team is the largest and most experienced staff of correctional mental health experts in the industry.”
- “While our public service settings can vary among correctional facilities, state hospitals, judicial systems, and community-based clinics, Centurion's priority is providing locally-based quality care for individuals in the communities we serve.

- From staffing of public medical and behavioral health programs to full management of complex, multi-site correctional healthcare programs, Centurion is dedicated to reimagining healthcare and transforming the health of the community, one person at a time.”

The above statements are direct quotes taken from the web-site.

Centurion is also the subject of an in-depth report (**EXHIBIT 3**), dated December 12, 2016, it was prepared by Marc F. Stern, a board certified internist specializing in correctional care, the report details the care, or lack of care, provided by Centurion. The report details 13 deficient components identified and supported by findings of fact in the medical records reviewed. The report is alarming in that Centurion continues to endanger the health and life of those in their care and in the case of the Plaintiff Steven McMullen, the Defendants have caused permanent damage to the Plaintiff's vital organ, the kidneys, and ultimately have altered the Plaintiffs quality of life and 1000 fold increased the ongoing medical needs that Plaintiff will face for the remainder of his life.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Steven McMullen", is written over a horizontal line.

Steven McMullen, Pro Se